

Message Text

CONFIDENTIAL

PAGE 01 CAIRO 07936 01 OF 02 110659Z
ACTION IO-13

INFO OCT-01 NEA-10 ISO-00 CIAE-00 COME-00 EB-07 INR-07
LAB-04 NSAE-00 SIL-01 AF-10 ARA-06 EA-07 EUR-12
OIC-02 DODE-00 PM-04 H-01 L-03 NSC-05 PA-01
PRS-01 SP-02 SS-15 USIA-06 DHA-02 /120 W
-----110703Z 004840/11

P 101446Z MAY 77 ZDK
FM AMEMBASSY CAIRO
TO SECSTATE WASHDC PRIORITY 4917
INFO AMEMBASSY JIDDA PRIORITY
AMEMBASSY KUWAIT PRIORITY
AMEMBASSY RABAT
AMCONSUL CASABLANCA
USMISSION GENEVA
USMISSION USUN NEW YORK

CONFIDENTIAL SECTION 1 OF 2 CAIRO 7936

E.O. 11652: GDS
TAGS: ILO ELAB PFOR EG US
SUBJECT: ILO: 63RD INTERNATIONAL LABOR CONFERENCE - EGYPT

1. USG REP TO ILO HOROWITZ, ACCCOMPANIED BY AMBASSADOR, HAD 1-1/2 HOUR MEETING WITH DEP PRIMIN/FONMIN FAHMY MAY 9. HOROWITZ GAVE FONMIN BACKGROUND OF NOVEMBER 1975 U.S. NOTIFICATION OF WITHDRAWAL FROM ILO UNLESS TRENDS INIMICAL TO INTEGRITY OF ORGANIZATION WERE REVERSED. HE SAID ILO HAD BECOME FOCAL POINT OF WHOLE RANGE OF POLITICAL ISSUES. THIS WAS PARTICULARLY REGRETTABLE BECAUSE ILO WAS OVER 50 YEARS OLD WITH ESTABLISHED PROCEDURES THAT HAVE PASSED TEST OF TIME. CARTER ADMINISTRATION HAS CONFIRMED THAT WHILE US WANTS VERY MUCH TO REMAIN IN ILO, TRENDS WHICH FORCED US TO FILE NOTICE TWO YEARS AGO, ARE SUCH THAT WE MAY STILL HAVE TO LEAVE.

2. HOROWITZ CITED THE MOST EGREGIOUS EXAMPLES OF THE POLITICALIZATION
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 CAIRO 07936 01 OF 02 110659Z

OF ILO: (A) IGNORING OF NON-COMPLIANCE BY USSR AND EAST EUROPEANS OF HUMAN RIGHTS CONVENTIONS AS REPORTED IN OBSERVATIONS OF ILO JUDICIAL EXPERTS ON PART OF CONFERENCE COMMITTEE AND CONFERENCE;

(B) AUTONOMY OF GROUPS TO ELECT THEIR OWN REPRESENTATIVES IN KEEPING WITH TRIPARTITE NATURE OF ILO; (C) SO MUCH OF ILO TIME FOCUSED ON GENERAL POLITICAL MATTERS THAT TECHNICAL SUBJECTS WERE

DISREGARDED; (D) RESOLUTIONS HAD BEEN PASSED WHICH DISREGARDED EXISTING PROCEDURES, SPECIFICALLY IN CONDEMNATION WITHOUT PRIOR INVESTIGATION. THIS, DESPITE FACT THAT ILO INVESTIGATIVE MACHINERY HAS REPUTATION OF OBJECTIVITY AND CAN BE INVOLVED FAIRLY EASILY. WHAT US WANTS, HOROWITZ SAID, IS REAFFIRMATION OF THE CONSTITUTION AND OBJECTIVES OF THE ILO.

3. HOROWITZ SAID 1974 RESOLUTIONS CONDEMNING ISRAEL AND CHILE WERE BOTH MADE WITHOUT PRIOR INVESTIGATION. YET, IN CASE OF CHILE INVESTIGATION WAS LATER REQUESTED AND CONDUCTED. NOBODY HAD EVER ASKED FOR INVESTIGATION IN OCCUPIED TERRITORIES DESPITE FACT THAT ILO DIRECTOR GENERAL HAD URGED THAT EXISTING MACHINERY BE USED. IN MARCH 1977 DG HAD INFORMED THE GOVERNING BODY (GB) THAT NOTHING MORE COULD BE DONE ON '74 ISRAELI RESOLUTION AND THIS WAS ACCEPTED BY GB. DESPITE THIS, HOROTITZ SAID, THE TRENDS WERE NOT GOOD. THE RECENT AFRICAN LABOR MINISTERS CONFERENCE IN TRIPOLI HAD VOTED TO HAVE ILO CONFERENCE REAFFIRM THE 1974 RES. THE US WANTS SUCH ACTIONS TO STAY IN ESTABLISHED CHANNELS AND USE ESTABLISHED PROCEDURES. HE HOPED THAT GOE COULD CONSULT CLOSELY WITH US ON THIS CRUCIAL MATTER AND SUPPORT AMENDMENTS TO ARTILCE 17.

4. FAHMY SAID HE WISHED TO RESPOND VERY FRANKLY AS A FRIEND OF US. HE REJECTED ASSERTION THAT US POSITION WAS DICTATED BY ADHERENCE TO PROCEDURE AND TECHNICAL MATTERS. IN HIS OPINION, ALL ISSUES IN INTERNATIONAL ORGANIZATIONS ARE POLITICAL. IN US CASE THIS POSITION WAS INFLUENCED BY INTERNAL POLITICAL LOBBIES. SECONDLY, ALL INTERNATIONAL ORGANIZATIONS BELONG TO SAME FAMILY. ONE MUST ABIDE BY WILL OF MAJORITY. US MAY WISH TO

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 CAIRO 07936 01 OF 02 110659Z

DISAGREE AND AS SUPERPOWER CAN COMPLETELY IGNORE RESOLUTIONS BUT NO COUNTRY CAN CLAIM TO BASE ITS DECISIONS ON TECHNICAL RATHER THAN POLITICAL GROUNDS. FAHMY ASKED WHAT US CAN HOPE TO GAIN BY WITHDRAWING FROM INTERNATIONAL ORGANIZATIONS. HE SAW IT AS RUNNING AWAY FROM PROBLEM. HE SAID EGYPT WOULD NEVER WALK AWAY FROM INTERNATIONAL ORGANIZATIONS. HE CITED ALSO EXAMPLE OF ISRAEL WHICH HAS HAD MANY UN RESOLUTIONS CONDEMNING IT BUT THEY HAVE NOT LEFT. HE THOUGHT US DECISION WOULD BACKFIRE IF CARRIED OUT.

5. HORORWITZ INTERJECTED THAT USG THOUGHT THERE WAS NO POINT IN HAVING SPECIALIZED AGENCIES IF PROCEDURES ARE COMPLETELY DISREGARDED TO THE POINT ORGANIZATION ITSELF IS THREATENED AND ITS AGENDA BEGINS TO LOOK LIKE THAT OF UNGA. FAHMY SAID "THE ILO IS 100 PERCENT POLITICAL" AND HE ASKED IN WHAY WAY ITS AGENDA HAS BEEN SIMILAR TO UNGA. HE CONSIDERED 1974 RES CONDEMNING ISRAELI POLICIES VIS-A-VIS ARAB LABOR FORCES IN OCCUPIED TERRITORIES LEGITIMATE ILO MATTER. GEORGE MEANY, HE SAID, HADMADE BIG NOISE AND WITHDRAWN. NEVERTHELESS, IT WAS NOT UNGA RES BUT ONE PROPERLY DEALT WITH BY ILO. HOROWITZ REITERATED THAT

BASIC PRINCIPLE OF NO CONDEMNATION WITHOUT PRIOR INVESTIGATION HAD BEEN VIOLATED. FAHMY COUNTERED BY SAYING THAT WHEN THE US HAD AUTOMATIC MAJORITY IN UNGA IT DISREGARDED UN PROCEDURES AND KEPT CHINA OUT FOR 20 YEARS. FINALLY, AFTER 20 YEARS WHEN AUTOMATIC MAJORITY NO LONGER EXISTED US AGREED THAT CHINA ENTRY WAS MATTER FOR CREDENTIALS COMMITTEE. FAHMY SAID, IF A COUNTRY HAS DIFFICULTY WITH THE GB BUT HAS SUPPORT IN THE CONFERENCE, IT IS NATURAL THAT IT PREFERS TO HAVE WORK CONDUCTED IN THE CONFERENCE.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 CAIRO 07936 02 OF 02 101552Z POSS DUPE
ACTION IO-13

INFO OCT-01 NEA-10 ISO-00 CIAE-00 COME-00 EB-07 INR-07
LAB-04 NSAE-00 SIL-01 AF-10 ARA-06 EA-07 EUR-12
OIC-02 DHA-02 DODE-00 PM-04 H-01 L-03 NSC-05
PA-01 PRS-01 SP-02 SS-15 USIA-06 /120 W
-----110706Z 116706/11

P 101446Z MAY 77
FM AMEMBASSY CAIRO
TO SECSTATE WASHDC PRIORITY 4918
INFO AMEMBASSY JIDDA PRIORITY
AMEMBASSY KUWAIT PRIORITY
AMEMBASSY RABAT
AMCONSUL CASABLANCA
USMISSION GENEVA
USMISSION USUN NEW YORK

CONFIDENTIAL SECTION 2 OF 2 CAIRO 7936

6. HOROTWITZ AGAIN SAID IF A CONFERENCE ADOPTS ACTIONS WHICH IGNORE ITS OWN PROCEDURES, THIS IS DESTRUCTIVE OF THE ORGANIZATION. FAHMY ASKED WHO DECIDED SUCH ACTIONS. IN INTERNATIONAL ORGANIZATIONS IT IS THE WILL OF MAJORITY THAT COUNTS. HOROWITZ SAID THAT IF THE MAJORITY DECIDES TO REAFFIRM THE MIDDLE EAST 1974 RESOLUTION AND OTHER DESTRUCTIVE TRENDS CONTINUE THE US WILL BE PUSHED TOWARD WITHDRAWAL. IT WILL NOT BE BECAUSE WE MAY LOSE ISSUES, BUT BECAUSE THE TWISTING OF PROCEDURES THREATENS THE VERY EXISTENCE OF THE ORGANIZATION.

7. FAHMY SAID GOE HAD PERHAPS MADE MISTAKE BY NOT REQUIRING PRIOR INVESTIGATION. HOWEVER, HE SAID GOE HAD MADE SUCH EFFORTS IN OTHER INTERNATIONAL ORGANIZATIONS AND ISRAEL HAD NEVER PERMITTED INVESTIGATORS TO ENTER ISRAEL. FAHMY SAID IF US IS READY TO SUPPORT

INVESTIGATORY MISSION IN OCCUPIED TERRITORIES HE WILL INSTRUCT
GOE REPS TO REQUEST IT. HOWEVER, EGYPT HAS FREQUENTLY HAD
INTERNATIONAL LAW AND PROCEDURES ON ITS SIDE TO NO AVAIL. FOR
EXAMPLE, IN GULF OF SUEZ US LEGAL POSITION FULLY SUPPORTS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 CAIRO 07936 02 OF 02 101552Z POSS DUPE

EGYPTIAN POSITION YET ISRAEL REJECTS IT. ISRAEL REJECTS
THESE LEGAL POSITIONS AND UN RESOLUTIONS BECAUSE "THEY KNOW
YOU WILL SUPPORT THEM." EGYPT HAS NOT RAISED GULF OF SUEZ MATTER
ANYWHERE ELSE, BUT STILL US HAS DONE NOTHING ABOUT IT. "WHERE
ARE WE TO GO? ARE WE TO GIVE ISRAEL A FREE HAND TO DO WHATEVER
THEY WANT? IN THIS CASE YOU ARE LEGALLY SUPPORTING EGYPT 100
PERCENT BUT ISRAEL SAYS NO." NOW US IS ASKING EGYPT TO FOLLOW
THE BOOK OF INTERNATIONAL LAW BUT THERE IS NO BOOK. "ISRAEL
WANTS TO FORCE ME AND YOU TO ABIDE BY THEIR BOOK." FAHMY SAID THIS
IS THE WAY THE WORLD IS AND SINCE EGYPT HAS NO PLACE TO GO IN SUPPORT
OF ITS LEGAL POSITION AND CANNOT LEAVE ISRAEL ALONG IT MUST
SHOUT. GULF OF SUEZ IS MOST DRAMATIC CASE SINCE US COMPANIES
AND LEGAL POSITION ARE ALL AT STAKE BUT US IS UNABLE TO ACT.

8. FAHMY ALSO MADE POINT THAT IN INTERNATIONAL ORGANIZATIONS
ALL RULES OF PROCEDURES ARE PROVISIONAL. THE MAIN ORGAN IS
MASTER OF ITS OWN PROCEDURES. HOROWITZ RESPONDED THAT IT TOOK
50 YEARS FOR ILO TO DEVELOP THE REPUTATION AND MORAL AUTHORITY OF
ITS INVESTIGATORY MECHANISM. IF INTERNATIONAL COMMUNITY
IS WORKING TOWARDS GOAL WHERE MACHINERY FOR SETTLEMENT OF DISPUTES
IS IMPORTANT THEN ILO EXPERIENCE IS FORERUNNER AND REPRESENTS
ENORMOUS ADVANCE. TO IGNORE IT IS A DRASTIC STEP FOR INTERNATIONAL
ORGANIZATIONS AND EVENTUALLY MEANS DISTROCTION OF THE MACHINERY.
FAHMY SAID HE WAS 100 PERCENT IN FAVOR OF PRIOR INVESTIGATION
BEFORE CONDEMNATION. HOWEVER, THERE SHOULD ALSO BE A PROVISION
FOR SANCTIONS IF THE COUNTRY REFUSES TO RECEIVE THE INVESTIGATORS.
IF HE COULD BE GUARANTEED THAT ISRAEL WOULD RECEIVE SUCH AN
INVESTIGATION TEAM EGYPT WOULD IMMEDIATELY FILE A COMPLAINT
WITH ILO.

9. HOROWITZ POINTED OUT THAT THE COMMITTEE OF EXPERTS THIS YEAR
HAS RAISED QUESTIONS OF ISRAEL CONCERNING ITS APPLICATION OF
CONVENTION 111 (PROHIBITION AGAINST DISCRIMINATION) IN OCCUPIED
TERRITORIES AND ISRAEL IS NOW OBLIGED TO RESPOND. HOROWITZ ENDED
CONVERSATION WITH REQUEST THAT GOE AND US CONSULT CLOSELY AND
THAT EGYPT SUPPORT AMENDMENT TO ARTICLE 17 AT ILC. FAHMY RESPONDED
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 CAIRO 07936 02 OF 02 101552Z POSS DUPE

THAT HE WOULD LIKE TO LOOK AT IT AND IF IT IS GOOD HE WILL SUPPORT
IT. IF ITS OBJECTIVE, HOWEVER, IS TO MAKE THE CONFERENCE

SUBSERVIENT TO A SMALLER BODY, HE WOULD NOT SUPPORT IT.

10. HOROWITZ WILL MEET WITH DIRECTOR INTERNATIONAL ORGANIZATIONS
AMRE MOUSSA MAY 10 FOR MORE DETAILED DISCUSSION. FAHMY REQUESTED
A MEMO FROM HOROWITZ GIVING US POSITION AND RECOMMENDATIONS IN
WRITING.

EILTS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: WITHDRAWAL OF MEMBERSHIP, MEETING REPORTS, RELATIONS WITH INTERNATIONAL ORGS
Control Number: n/a
Copy: SINGLE
Sent Date: 10-May-1977 12:00:00 am
Decapton Date: 01-Jan-1960 12:00:00 am
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977CAIRO07936
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770165-0451
Format: TEL
From: CAIRO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770576/aaaacngc.tel
Line Count: 231
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f558c397-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2588053
Secure: OPEN
Status: NATIVE
Subject: ILO: 63RD INTERNATIONAL LABOR CONFERENCE - EGYPT
TAGS: ELAB, PFOR, PORG, US, EG, ILO, (HOROWITZ, DANIEL L), (FAHMY, ISMAIL)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/f558c397-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009